

REMARKS/ARGUMENTS

No new matter has been added by any of the above amendments to the claims, and therefore, the Examiner is respectfully requested to enter the amendments.

Discussion of claims 16 – 24.

In the Official Action, the Examiner allowed claims 16 – 24. The Examiner is thanked for the allowance.

Discussion of claims 1, 4, and 12 – 15.

Additionally in the Official Action, the Examiner rejected claims 1, 4, and 12 – 15 under 35 USC §102 (b) as being anticipated by U.S. Pat. No. 5,931,855 to Buncke. The Examiner noted Buncke discloses a barbed suture having a staggered disposition at lines 4 – 7 of column 9.

Applicants respectfully note that independent claim 1 has been amended by deleting “a staggered disposition,”.

Thus, the Examiner is respectfully requested to withdraw the rejection of claim 1, and each of dependent claims 12 – 15 which depend back to independent claim 1.

Dependent claim 4, which is specific to the barbs having “a staggered disposition”, has been amended to depend on independent claim 16, which is allowed, instead of on independent claim 1.

Thus, the Examiner is respectfully requested to withdraw the rejection of claim 4.

Discussion of claim 5.

Furthermore in the Official Action, the Examiner rejected claim 5 under 35 USC §102 (b) as being anticipated by U.S. Pat. No. 6,241,747 to Ruff or under 35 USC §103 (a) as being unpatentable. Presumably, the §103 (a) rejection is over Ruff in view of Buncke, as the Official Action appears to have an editorial error.

Dependent claim 5, which is specific to the barbs having a “staggered disposition”, has been amended to depend on independent claim 16, which is allowed, instead of on independent claim 1.

Thus, the Examiner is respectfully requested to withdraw the rejection of claim 5.

Discussion of claims 2, 3, 6 - 11.

Also in the Official Action, the Examiner objected to claims 2, 3, and 6 – 11 for being dependent upon a rejected base claim but noted they would be allowable if rewritten in independent form.

Each of dependent claims 2 and 3, which depended on independent claim 1, has been amended by combining the limitation at end of each with the subject matter of independent claim 1 so that each of claims 2 and 3 is now independent.

Each of dependent claims 6 and 7, which are specific to the barbs having “a twist cut multiple spiral disposition” and which depended on independent claim 1, has been amended by combining the limitation at the end of each with the subject matter of independent claim 1 so that each of claims 6 and 7 is now independent. Dependent claim 8 depend on claim 7 and dependent claim 9 depends on claim 8.

Dependent claim 10, which is specific to the barbs having “an overlapping disposition” and which depended on independent claim 1, has been amended by combining the limitation at the end of claim 10 with the subject matter of independent claim 1 so that claim 10 is now independent. Dependent claim 11 depends on claim 10.

Thus, the Examiner is respectfully requested to withdraw the objection to claims 2, 3, and 6 – 11.

CONCLUSIONS

Applicants respectfully submit that in view of the above amendments, rejected claims 1, 4, 5, and 12 – 15 are now allowable and the Examiner is respectfully requested to withdraw the rejections under 35 USC §102 (b) and 35 USC §103 (a). Also, objected to claims 2, 3, and 6 – 11 have been rewritten as requested by the Examiner and thus are

now in allowable format and thus the Examiner is respectfully requested to withdraw the objection. The Examiner allowed claims 16 – 24.

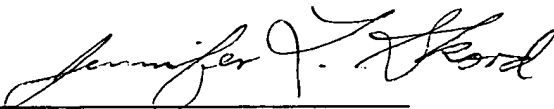
Hence, applicants respectfully submit that the case is in condition for allowance and early allowance is earnestly solicited. If the Examiner should have any questions of a minor nature after reading the above, the Examiner is respectfully requested to telephone the undersigned in order to attend to any such minor issues and obviate the issuance of another Official Action.

DEPOSIT ACCOUNT

Although a check in the amount of \$215.00 (small entity status) is enclosed and thus it is believed that no fee is due, the Commissioner is authorized to charge any deficiencies of payment associated with the Communication, or to credit any overpayment, to **Deposit Account No. 13-4365**.

Date: February 13, 2004

Respectfully submitted,

By: 

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Encl.: \$215.00 check (small entity status fee) for presentation of 5 additional independent claims beyond the 6 originally paid for (total now 11).